

IN THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the present application.

1. (Currently Amended) A method for generating an adult oviparous teleost ornamental fish, comprising:

(a) generating a transgenic oviparous fish, wherein: the genome of the transgenic fish comprises: a transgene comprising a gene encoding a fluorescent product operably linked to α -actin or β -actin promoter and flanking ITR fragments;

(b) breeding the transgenic oviparous fish with a fish selected from ~~the same or a~~ different species with different phenotype or pattern to obtain transgenic progeny, wherein the transgenic oviparous fish and the fish with different phenotype or pattern are in the same genus;

(c) screening the transgenic progeny ~~that exhibit~~ for those exhibiting a phenotype or pattern unlike either parent fish, and

(d) growing the transgenic progeny until adult stage.

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Previously Presented) The method as set forth in claim 1, wherein the fluorescent protein is selected from the group consisting of green fluorescent protein (GFP), modified green fluorescent protein, enhanced green fluorescent protein (EGFP), red fluorescent protein (RFP), enhanced red fluorescent protein (ERFP), blue fluorescent protein (BFP), enhanced blue fluorescent protein (EBFP), yellow fluorescent protein (YFP), enhanced yellow fluorescent protein (EYFP), cyan fluorescent protein (CFP), and enhanced cyan fluorescent protein (ECFP).

6. (Previously Presented) The method as set forth in claim 1, wherein the fluorescent protein is selected from the group consisting of green fluorescent protein (GFP), modified green fluorescent protein, enhanced green fluorescent protein (EGFP), red fluorescent protein (RFP), enhanced red fluorescent protein (ERFP), blue fluorescent protein (BFP), enhanced blue fluorescent protein (EBFP).

7. (Previously Presented) The method as set forth in claim 1, wherein the fluorescent protein is selected from the group consisting of green fluorescent protein (GFP), modified green fluorescent protein, enhanced green fluorescent protein (EGFP), red fluorescent protein (RFP), enhanced red fluorescent protein (ERFP).

8. (Previously Presented) The method as set forth in claim 1, wherein the phenotype of the fish with different phenotype or pattern is selected from the group consisting of colors, body shapes, body sizes, body transparency, grain colors, stripe colors, fin shapes, fin sizes, tail shape, tail sizes, eye color, eye shapes, and any observable phenotypic differences from those of the transgenic fish.

9. (Previously Presented) The method as set forth in claim 1, wherein the phenotype of the fish with different phenotype or pattern is selected from the group consisting of colors, body shapes, body transparency, grain colors, and stripe colors.

10. (Previously Presented) The method as set forth in claim 1, wherein the pattern of the fish with different phenotype or pattern is selected from the group consisting of grain patterns, stripe patterns, and swimming patterns.

11-17. (Cancelled)

18. (Currently Amended) The method as set forth in claim ~~[[16]]~~ 25, wherein the Cyprinidae ~~is selected from the group consisting of~~ genus is *Danio* and the species is selected from the group consisting of *D. acrostomus*, *D. aequipinnatus*, *D. malabaricus*, *D. albolineatus*, *D. annandalei*, *D. apogon*, *D. apopyris*, *D. assamensis*, *D. choprae*, *D. chrysotaeniatus*, *D.*

dangila, *D. devario*, *D. fangfangae*, *D. frankei*, *D. fraseri*, *D. gibber*, *D. interruptus*, *D. kakhienensis*, *D. kyathit*, *D. laoensis*, *D. leptos*, *D. maetaengensis*, *D. malabaricus*, *D. naganensis*, *D. neilgherriensis*, *D. nigrofasciatus*, *D. pathirana*, *D. regina*, *D. rerio*, *D. roseus*, *D. salmonata*, *D. shanensis*, *D. spinosus*, *Brachydanio frankei* **[[or]] and**
Branchydanio **[[sp]]**.

19. (Currently Amended) The method as set forth in claim **[[17]] 28**, wherein the medaka is ~~selected from the group consisting of~~ *Oryzias javanicus*, *Oryzias latipes*, *Oryzias nigrimas*, *Oryzias luzonensis*, *Oryzias profundicola*, *Oryzias matanensis*, *Oryzias mekongensis*, *Oryzias minutillus*, *Oryzias melastigma*, *O. curvinotus* **[[,]] or** *O. celebensis*, ~~*X. oophorus*, and *X. saracinorum*.~~

20. (Currently Amended) The method as set forth in claim 1, wherein the new transgenic progeny is selected from the group consisting of ~~*Ciehlasoma*~~, TK1 red x *O. curvinotus*, TK1 green x *O. curvinotus*, TK2 red x *Brachydanio frankei*, TK2 red x *Branchydiano* sp., TK2 green x *Brachydanio frankei*, TK2 green x *Branchydanio* sp., and Purple Zebra Fish.

21. (Previously Presented) The method as set forth in claim 1, wherein the new transgenic progeny is selected from the group consisting of TK1 red x *O. curvinotus*, TK1 green x *O. curvinotus*, TK2 red x *Brachydanio frankei*, TK2 red x *Branchydanio* sp, and Purple Zebra Fish.

22. (Previously Presented) The method as set forth in claim 1, wherein the new transgenic progeny is selected from the group consisting of TK2 red x *Brachydanio frankei* and TK2 red x *Branchydanio* sp.

23. (Previously Presented) A ornamental fish which is prepared from the transgenic progeny that exhibit a phenotype or pattern unlike either parent fish selected according to the method of claim 1.

24. (Previously Presented) The fish as set forth in claim 23, wherein the fish is selected from the group consisting of TK1 red \times *O. curvinotus*, TK1 green \times *O. curvinotus*, TK2 red \times *Brachydanio frankei*, TK2 red \times *Branchydanio sp*, and Purple Zebra Fish.

25. (New) The method as set forth in claim 1, wherein the said genus of step (b) is a Cichlidae genus, Cyprinidae genus or medaka genus.

26. (New) The method as set forth in claim 25, wherein the Cichlidae genus is *Cichlasoma*, *Pseudotropheus*, *Pterophyllum*, *Symohysodon* or *Apistogramma*.

27. (New) The method as set forth in claim 25, wherein the Cyprinidae genus is *Cyprinus*, *Danio* or *Carassius*.

28. (New) The method as set forth in claim 25, wherein the medaka genus is *Oryzias*.